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TO RUEHC/SECSTATE WASHDC 8984  
INFO RUEHSB/AMEMBASSY HARARE 3869  
RUEHTO/AMEMBASSY MAPUTO 6096  
RUEHMB/AMEMBASSY MBABANE 4553  
RUEHTN/AMCONSUL CAPE TOWN 6977  
RUEH DU/AMCONSUL DURBAN 1093  
RUEHJO/AMCONSUL JOHANNESBURG 9345

UNCLAS SECTION 01 OF 02 PRETORIA 001356

SIPDIS

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [PREF](#) [PHUM](#) [SF](#)

SUBJECT: POLICE ARREST 244 ZIMBABWEAN MIGRANTS IN JOBURG

REF: A. PRETORIA 0770

[1](#)B. PRETORIA 0771

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SUMMARY  
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[1](#)1. On July 3 police in Johannesburg conducted a midnight raid of the area around the Central Methodist Church, arresting 344 mainly Zimbabweans sleeping in the street. Rights organizations condemned the police action as "heavy-handed" and "disproportionate" and promised to defend the detainees in court. The city is making token efforts to provide shelter for a small number of the thousands of homeless Zimbabwean migrants thronging its downtown at night. National policy on Zimbabwean migrants remains unclear, however, and rights groups are concerned about possible signals that the "identity card" scheme announced in April (reftels) may not be implemented. End Summary.

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POLICE RAID DOWNTOWN CHURCH  
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[1](#)2. Around midnight on Friday July 3, police arrested 344 persons in downtown Johannesburg who were sleeping on the streets around the Central Methodist Church. The arrested were homeless men, women, and children, mostly Zimbabwean migrants but some also destitute South Africans. Witnesses from Medicins Sans Frontieres (MSF), which operates a clinic at the church, accused the police of "manhandling" the detainees and threatening them with stun guns. A police spokesperson denied any mistreatment. In a joint operation by the South African Police Service (SAPS) and metropolitan police, the 244 were taken into custody, to pay an immediate fine of 300 rand (US\$38) or face charges in court the following Monday of loitering, public indecency, and public disorder. A police spokesman said the SAPS intended to continue such raids.

[1](#)3. The Church has for years been a haven for foreign migrants, and a source for controversy in the community. Over the past year the crisis in Zimbabwe has swelled the Church's overnight population of homeless persons seeking shelter to as many as five thousand persons, including more than a hundred permanently housed children. The Church's Bishop Paul Verryn is a hero to rights groups and has been glowingly profiled in the media (including on CNN), and the Church was defended in court this year by Nelson Mandela's own former lawyer George Bizos. Local businesses and residents, however, continue to lodge official actions and legal challenges against the Church, complaining of mess and smell (mainly due to lack of sanitation facilities), crowds, and even crime.

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NGO'S CONDEMN POLICE ACTION  
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14. Rights organizations condemned the police action and promised to defend the detainees in court. Press quoted the Legal Resource Center (LRC) saying the raid was "heavy-handed" and "disproportionate." In a July 5 joint statement, LRC joined Lawyers for Human Rights and the AIDS Law Project in accusing the SAPS of "an egregious abuse of the police's power to arrest" for such petty offences as loitering, in a move that "serves no purpose other than to intimidate people who are already impoverished and marginalised." The statement called for the immediate release of the detainees, especially of vulnerable minors and pregnant women, explicitly contradicting prior police claims that they would immediately free women and children. Lawyers said they had been refused access to the detainees but would defend them at the hearing on Monday.

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POLICY TURN? OR COMMUNITY FRUSTRATION?  
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15. Spokesman for the Department of Home Affairs (DHA) Ronnie Mamoepa said DHA was not involved in the raid, but he did not distance DHA from the action. Mamoepa's only response on policy questions was a vague "The solution is to resolve the situation in Zimbabwe," urging foreign nations to lift sanctions against that country. Johannesburg municipal authorities, meanwhile, said they were nearing completion of

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plans for temporary shelters for just over a thousand migrants. The municipality's efforts to house some Zimbabwean migrants have been months in the making, and they are insufficient to support the thousands in need, but the city has demonstrated a will to assist despite bearing the brunt of the migrant influx.

16. COMMENT: National policy towards Zimbabweans remains ambiguous, as reflected in Mamoepa's noncommittal remarks. In early April the lame-duck DHA Minister announced plans for an "identity card" enabling all Zimbabweans to remain in South Africa (refs A, B), but NGOs were anxious whether the new administration in May would honor the pledge. In late May the new DHA Minister fed those fears by saying the card scheme was "not scrapped, just on the back burner." The weekend's police raids could signal a reversion to tougher tactics of arrest and deportation. Alternatively, however, the police and Home Affairs are frequently out of sync on immigration issues, and the raids could simply reflect a localized police reaction to long-simmering community frustration. It is too early yet to read policy significance into a regrettable weekend event. END COMMENT.

CONNERS